Meeting Called to Order:

The meeting was called to order at 1:04 p.m. by Chairperson Scullion.

Approval of Agenda:

Moved by Canvasser Fox, seconded by Canvasser Prout, to approve the agenda.

Barb Byrum, Ingham County Clerk, requested to add Comments from the Clerk and the certification of ballot bags from Aurelius Township and Lansing to the agenda.

Moved by Canvasser Fox, seconded by Canvasser Prout, to amend the agenda to add Comments from the Clerk as Agenda Item No. III, and Certification of Ballot Bags as Agenda Item No. IV, and then reorder the numbering of the agenda as needed. Motion passed unanimously.

Comments from the Clerk

Clerk Byrum introduced Maggie Fenger, Elections/Clerk Coordinator, and Liz Kane, Recording Secretary, to the Board of Canvassers.

Clerk Byrum stated there were no provisional ballots for the election. She further stated there were some issues with tabulators in East Lansing, but the vendor showed up within a half hour and the memory packs were transferred to a new tabulator.

Clerk Byrum presented an email to be included in the minutes that she sent to the Clinton County Clerk, in regards to Bath Township voters that were supposed to be handled by East Lansing for the election. She further stated the State had been contacted and they were aware of the issue.
Clerk Byrum stated that the Bath Township Clerk had incorrectly posted notice to East Lansing School District voters to vote in the polling place in Bath Township.

Clerk Byrum stated that her overarching concern was to ensure everyone could vote. She further stated that the Board of Canvassers would be canvassing those results from the election, but that was not how it was supposed to go because they should have been included in the East Lansing results rather than Clinton County.

Clerk Byrum stated that the Haslett School District voters from Bath Township were being canvassed in Clinton County, and then the partial canvass would be sent to the Ingham County Board of Canvassers. She further stated that East Lansing Public School voters in Dewitt Township had been consolidated with East Lansing Precinct 17, as both municipal clerks had arranged.

Clerk Byrum stated there would likely be a revision to the school coordinating plan filed with the State. Kristi Dugan, Michigan Secretary of State Election Specialist, was allegedly going to send an email to lay out exactly what should happen for school elections according to the plans submitted by Ingham County.

Chairperson Scullion stated that she had sent an email to the canvassers about redrafting the January 4, 2017 minutes, but Clerk Byrum had concerns with communicating via email, because she thought it violated the Open Meetings Act. She further stated she did not believe that was the case as the minutes were a clerical function not an action item.

Clerk Byrum stated that while that was the Chairperson’s position, she would continue to be extremely cautious when communicating with all canvassers in the same email. She further stated that she never wanted to be accused of violating the Open Meetings Act, and it was a deliberation when they moved to approve minutes of a meeting and they should not communicate regarding the minutes outside of a public meeting by phone or email.

Clerk Swope, Lansing City Clerk, arrived at 1:13 p.m.

Canvasser Hayden asked what deliberation was made.

Clerk Byrum stated that they usually deliberated when approving the minutes.

Chairperson Scullion stated that she agreed on matters of substance, and appreciated the Clerk’s caution.

**Certification of Aurelius and Lansing Bags**

The Board of Canvassers inspected and certified the ballot bags for the City of Lansing and Aurelius Township.

Robin Stites, Lansing City Election Supervisor, arrived at 1:25 p.m.

The Board of Canvassers received the Clinton County partial canvass of the Haslett School District results, unsigned, at 1:33 p.m.

The Board of Canvassers received and noted the Bath Township Applications to Vote from Bath Township Precinct 1, East Lansing Public School voters.
Chairperson Scullion left at 1:46 p.m.

Clerk Swope and Ms. Stites left with their certified ballot bags at 1:47 p.m.

Chairperson Scullion returned at 1:50 p.m.

**Approval of the January 4, 2017 Minutes**

Moved by Canvasser Fox, seconded by Canvasser Prout, to approve the January 4, 2017 minutes.

Moved by Canvasser Fox, seconded by Canvasser Prout, to pull the amended previously approved minutes out as attachments and amend the January 4, 2017 minutes as follows:

Amendments were approved as follows: **shown in the attached documents of the revised minutes.**

The motion carried unanimously.

The minutes, as amended, were approved unanimously.

**Canvass of the May 2, 2017 Special Election**

The Board of Canvassers commenced canvassing the May 2, 2017 Special Election.

Chairperson Scullion stated for the record that the Bath Township portion of the Haslett School District, Precinct 2 partial canvass from Clinton County reflected 44 votes yes, and 2 votes no. She further stated that the partial canvass from Clinton County for Bath Township Precinct 4 had 190 votes yes, and 39 votes no.

Moved by Canvasser Fox, seconded by Canvasser Prout, to request that the County Clerk put the Bath Township vote totals in the computer, so the grand total could reflect properly. The motion carried unanimously.

Canvasser Fox stated there was an issue with the numbering of ballots in East Lansing Precinct 4. He stated the distributed ballot numbers went from 600 to 605, and the comments section of the poll book had no explanation as to what happened to them.

Canvasser Fox requested to get **information from the East Lansing City Clerk about East Lansing Precinct 4’s presumed spoiled ballots numbered 601-604, as there had been no explanation made as to what happened to them.**

Clerk Byrum returned at 2:28 p.m.

Jen Shuster, Chief Deputy County Clerk, arrived at 2:28 p.m.

Ms. Fenger returned at 2:28 p.m.

Clerk Byrum stated that she was prohibiting her staff from doing any data entry into the WinEDS computer system. She further stated that by doing data entry in the WinEDS computer, it would double report and the numbers reported to the State after certification would not match the Election Night Reporting, which was the same issue that had caused confusion with the State in the November election.
Clerk Byrum stated that some clerks did not have a computer compiling data, they simply had handwritten reports. She further stated that she expected the Clinton County results for the Haslett School District to be brought in and then her staff could create a grand total sheet to be added into the official canvass that provided the numbers from Clinton County, the numbers from Ingham County, and the grand total of both counties.

Clerk Byrum asked if they needed Clerk Wicks to come in and figure out the East Lansing Precinct 4 spoiled ballot issue.

Discussion.

Canvasser Fox stated they likely needed the precinct chair to tell them what had happened. He further stated the explanation from the precinct chair could be relayed by phone or email.

Clerk Byrum asked if it would be acceptable for Clerk Wicks to tell her, and then Clerk Byrum could relay the message to the Board of Canvassers.

Chairperson Scullion stated that would be sufficient.

Clerk Byrum stated she would contact Clerk Wicks regarding East Lansing Precinct 4’s spoiled ballots.

Chairperson Scullion asked Clerk Byrum if staff could help open the pollbook envelopes.

Clerk Byrum stated staff could help the Board of Canvassers open envelopes. She further stated the rules varied across the State about whether or not staff could help open envelopes during the Board of Canvassers meeting, or do it before the Board of Canvassers met.

Clerk Byrum stated that she usually opened the envelopes in big elections, however this one was so small she thought it would not take them any time to open the envelopes themselves.

Clerk Byrum left at 2:40 p.m.

Ms. Fenger left at 2:40 p.m.

Ms. Shuster left at 2:40 p.m.

The Board of Canvassers continued canvassing the election.

Canvasser Fox stated that East Lansing Precinct 12 did not have the breakdown of yes and no votes included in the tapes, just the total counted votes.

Ms. Fenger returned at 3:00 p.m.

Clerk Wicks was contacted regarding the issue with the East Lansing Precinct 12 tapes.

Ms. Fenger distributed canvass reports and explained the grand total sheet reflected the vote totals for Bath Township’s Haslett School District voters as Clinton County votes.

Chairperson Scullion requested the statement of vote report and summary from WinEDS.
Clerk Byrum and Ms. Shuster returned at 3:15 p.m.

Clerk Byrum stated she had contacted Clerk Wicks, and she would be bringing the ballots and memory pack from East Lansing Precinct 12.

Chairperson Scullion asked if they could hand tabulate them, or if they needed to run them through a tabulator.

Clerk Byrum stated they needed to be run through the tabulator, because they needed a paper record of the vote count.

Clerk Byrum left at 3:18 p.m.

Clerk Byrum returned at 3:25 p.m.

Clerk Byrum stated that Clerk Wicks had spoken to the chair of East Lansing Precinct 4. She further stated that the chair thought she had written her notes in the comments, but she said it had looked like those ballots had been scored or sliced with a knife, as they were the first few ballots on the top of a new package of ballots.

Clerk Byrum stated that the chair did not want to risk sending the ballots through the tabulator, so they spoiled them.

Clerk Byrum left at 3:27 p.m.

Ms. Shuster left at 3:27 p.m.

Ms. Fenger left at 3:27 p.m.

Ms. Fenger returned at 3:38 p.m.

Ms. Fenger presented the canvass reports for the Board of Canvassers to review.

Chairperson Scullion stated for the record that the official signed partial canvass from Clinton County had been received by the Board of Canvassers at 3:45 p.m.

Clerk Wicks arrived at 4:08 p.m. with the ballots and memory pack for East Lansing Precinct 12.

The Board of Canvassers commenced retabulation of East Lansing Precinct 12.

Tanya Brodberg, Aurelius Township Deputy Clerk, picked up the certified Aurelius Township ballot bags at 4:18 p.m.

Moved by Canvasser Fox, seconded by Canvasser Prout to approve the canvass of votes as submitted. The motion carried unanimously.

**Time Cards and Vouchers**

The canvassers submitted mileage reimbursement forms and time cards.
Public Comment

A discussion with Clerk Wicks ensued.

The Bath Township Applications to vote were received by Clerk Wicks for storage with the East Lansing applications to vote.

Adjournment

Chairperson Scullion adjourned the meeting at 4:30 p.m.

Barb Byrum, Ingham County Clerk
Good Afternoon,

It is my understanding that an issue has been discovered today where East Lansing Public Schools voters residing in Bath Township have been sent to the Bath Township polling locations to vote, when the City of East Lansing had been prepared to take those voters.

Bath Township is an opt out jurisdiction in Ingham County’s East Lansing Public School Coordinated Plan.

However, Bath Township sent notice to the East Lansing Public School voters residing in Bath Township that directed these voters to Bath Township to vote.

The Bath Township Clerk had agreed to take the Bath Public School voters from the City of East Lansing, but did not communicate with me or the City of East Lansing Clerk regarding keeping the East Lansing Public School voters.

As Bath Township did not adequately communicate in regards to the consolidation of East Lansing Public School voters in Bath Township, the City of East Lansing Clerk had planned to take these voters. This resulted in both Bath Township and the City of East Lansing preparing ballots for the East Lansing Public School voters residing in Bath Township.

Therefore, due to this lack of communication, these East Lansing Public School voters residing in Bath Township could potentially vote in both the City of East Lansing and Bath Township in the same election.

At this time, there is no possible way to send these voters to the correct precinct in East Lansing, therefore they will continue to vote in Bath Township for the purposes of this election.

However, the results from Bath Township should be sent to Ingham County in order for us to accurately canvass the East Lansing Public School Election.

Please know that I will continue working with the Bureau of Elections to mitigate the damage from this issue.

Sincerely,

Barb Byrum, JD, CERA
Ingham County Clerk
517-676-7204